

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

| | | |
|---------------------------|---|----------------------------------|
| WILLIE MCPHAUL, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| vs. |) | Case No. 08-3428-CV-S-GAF |
| |) | |
| MARTY C. ANDERSON, |) | |
| |) | |
| Respondent. |) | |

ORDER DENYING MOTION FOR CERTIFICATE OF APPEALABILITY

Now pending before the Court is Petitioner's Motion for Certificate of Appealability.

The Court having considered said motion, it is ORDERED that Petitioner's motion is denied.

s/ Gary A. Fenner
Gary A. Fenner, Judge
United States District Court

DATED: July 2, 2009